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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/622,798	07/21/2003	Young-Joo Seo	Q75068	3487
23373	7590	05/22/2007	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			AN, SHAWN S	
			ART UNIT	PAPER NUMBER
			2621	
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			05/22/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/622,798	<b>Applicant(s)</b> SEO, YOUNG-JOO
	<b>Examiner</b> Shawn S. An	<b>Art Unit</b> 2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

1)  Responsive to communication(s) filed on 30 April 2007.

2a)  This action is **FINAL**.                            2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## **Disposition of Claims**

4)  Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) 1-14 is/are withdrawn from consideration.  
5)  Claim(s) \_\_\_\_\_ is/are allowed.  
6)  Claim(s) 15 is/are rejected.  
7)  Claim(s) 16-20 is/are objected to.  
8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on 21 July 2003 is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)  The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a)  All    b)  Some \* c)  None of:  
1.  Certified copies of the priority documents have been received.  
2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)  
2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3)  Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4)  Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5)  Notice of Informal Patent Application  
6)  Other: \_\_\_\_\_.  
\_\_\_\_\_

## DETAILED ACTION

### ***Response to Remarks***

1. Applicant's election without traverse of the Group I corresponding to claims '15-20' (Note: 15-19 as indicated in the last Restriction/election requirement was a typo, it should have been indicated as '15-20', thus change has been made now) action as filed on 4/30/07 have been acknowledged. Therefore, non-elected claims 1-14 are considered withdrawn claims.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dent et al (6,044,485).

**Regarding claim 15,** Dent discloses an apparatus for adjusting a grade of a wirelessly transmitted signal, comprising:

a transmitter (Fig. 1, 100) that receives an external telecommunication signal (102), and outputs an image signal (Channel 101; col. 3, lines 61-62); and  
a receiver (200) that wirelessly receives said image signal, wherein a feedback signal (Fig. 2, error signal I<sub>3</sub>) is provided to said transmitter (100) when a transmission error rate is not within a reference range (no deviation from symbols), and the transmitter alters a grade of transmission of said image signal in response to said feedback signal (col. 4, lines 5-16 and 33-56).

Dent discloses all of the claimed features with exceptions of generating display for a user. However, Dent teaches the output on the receiver's end, which is

considered a reproduction of the transmitted coded signals (col. 5, lines 11-13) for eventual display to an user. Furthermore, a conventional display monitor displays image data received from a conventional receiver.

Therefore, it would have been considered obvious to one of skill in the art employing Dent's teachings as above to realize that the receiver's output is connected to a display monitor for generating display for a user for observation and/or entertainment purpose(s).

#### ***Allowable Subject Matter***

4. Claims 16-20 are objected to as being dependent upon rejected base claim 15, but would be allowable:

if either claim 16 or claim 17 is rewritten in independent form including all of the limitations of the base claim 15 and any intervening claims.

**Dependent claim 16** recites novel features of the transmitter comprising:

a tuner that receives the external telecommunication signal from a reception device, and determines whether the external telecommunication signal is analog or digital;

a channel decoder that decodes said received signal when said received signal is digital, and generates a channel decoder output to a control unit in response to a first control input received from said control unit;

an analog decoder that decodes said received signal when said received signal is analog, and generates a first analog decoder output, and generates a second analog decoder output to a multi-sound processor that generates an audio output;

a selector that receives said first analog decoder output and said audio output and generates a video signal and an audio signal based on a second control input received from said control unit, said selector being configured to receive an external input;

an analog-to-digital converter that converts said video signal and said audio signal from analog to digital format, and sends said converted video signal and said

converted audio signal to an encoder that outputs an encoded signal to said control unit; and

a transmitting/receiving unit outputting one of said channel decoder output and said encoded signal to said receiver, and receiving said grade adjustment request signal.

**Dependent claim 17** recites a novel feature of a receiver comprising:

a MPEG decoder that checks the transmission error rate while decoding the signal received from a transmitting/receiving unit and outputs the checked transmission error rate; and

a control unit that outputs to the transmitter said feedback signal requesting down-adjustment when the transmission error rate output from the MPEG decoder is greater than a reference value and a grade lower than the current resolution grade of the current received signal exists.

The prior art of record fails to anticipate or make obvious the novel features (emphasis added on underlined claims limitations).

Accordingly, if the amendments are made to the claims listed above, and if rejected claim is canceled, the application would be placed in condition for allowance.

### **Conclusion**

5. The prior art made of record and not relied upon is considered pertinent to Applicant's disclosure.
  - A) Staron (5,555,463), TV receiver with deferred transmission of moving image sequences.
6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to *Shawn S. An* whose telephone number is 571-272-7324.
7. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

8. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



**SHAWN AN**  
**PRIMARY EXAMINER**

5/19/07